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| 10/025,354 | 12/18/2001 | Kristina Gorhammar | 27943-00414USP2 | 8595 |

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EXAMINER

MEW, KEVIN D

ART UNIT PAPER NUMBER

2664

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Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|----------------------------------|--|
| Office Action Summary | Application No. 10/025,354 | Applicant(s) GORHAMMAR ET AL. | |
| | Examiner Kevin Mew | Art Unit 2664 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-22 and 27-32 is/are allowed.
- 6) ☒ Claim(s) 1-4, 9, 23 and 33-36 is/are rejected.
- 7) ☒ Claim(s) 5-8, 10-18, 24-26 and 37-45 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Specification

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 22-46 should be renumbered as claims 21-45, respectively. In addition, each misnumbered claim should be corrected accordingly to reflect the appropriate parent claim number it depends from.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 9, 23, 33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Underwood et al. (US Publication 2003/0016675 A1).

Regarding claim 1, Underwood discloses a system for providing a resource (N-ISUP IAM message, Fig. 6) associated with an incoming call broadband network (call setup in ATM broadband network in SONET ring, element 10, Fig. 6), comprising:

a first node including switching intelligence and narrowband switching fabric, said first node being adapted to provide the resource (narrowband NB switch on the left hand side, element 14, Fig. 6);

a plurality of second nodes (ATM switches 16, Fig. 6) each including broadband switching fabric (each including ATM switch fabric), a termination one of said second nodes (ATM switch 16 on the right hand side) having first and second connections thereto associated with the call (first call connection between NB switch 14 and ATM switch 16, and a second signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6) and being operable to receive the resource (N-ISUP IAM message, Fig. 6) from said first node (NB switch element 14, Fig. 6) over one of said first and second connections via the broadband network (ATM broadband network in a SONET ring, paragraphs 0025, 0047);

said interworking entity (IWF, see Fig. 6) being adapted to configure said first and second connections based on instructions provided by the switching intelligence said first node (IWF receives call set-up information from the NB switch 14, paragraph 0047 and Fig. 6).

Regarding claim 2, Underwood discloses the system of Claim 1, wherein said first node is comprised of a legacy switch including said narrowband switching fabric (first node is narrowband switch NB 14, Fig. 6).

Regarding claim 3, Underwood discloses the system of Claim 1, wherein an additional one of said plurality of second nodes (ATM switch on the left hand side, element 16, Fig. 6) is interconnected between said termination second node and said first node (is interconnected

between NB switch 14 on the left side and ATM switch 16 on the right side) to convert the resource from circuit-switched format used by the narrowband switching fabric to a packet-switched format used by the broadband switching fabric (ATM switch 16 on the left hand side converts ISUP-IAM from the narrowband NB 14 switch into B-SETUP used by the broadband ATM switch in the ATM network, Fig. 6).

Regarding claim 4, Underwood discloses the system of Claim 1 wherein said plurality of second nodes comprise at least part of the broadband network (ATM broadband network, Fig. 6).

Regarding claim 9, Underwood discloses the system Claim 1, wherein said first connection is a call connection over the broadband network associated with the call and said second connection is a temporary connection over the broadband network, the resource being provided over said temporary connection (first call connection between NB switch 14 and ATM switch 16, and a second signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6).

Regarding claim 23, Underwood discloses an intermediate node (Translation server VP manager, element 20, Fig. 6) operatively connectable to a call control node (NB switch, element 14, Fig. 6) including switching intelligence and narrowband switching fabric (narrowband NB switch 14, Fig. 6) and a plurality of connection control nodes each including broadband switching fabric (ATM switches 16, Fig. 6), a termination one (ATM switch 16 on the left side,

Fig. 6) of said plurality connection control nodes (ATM switches 16, Fig. 6) for receiving a resource (for receiving STP signaling) associated an incoming call over a broadband network (call setup, paragraphs 0047, 0049), said intermediate node (Translation server VP manager, element 20, Fig. 6) comprising:

means for receiving the resource from said call control node (receiving STP signaling from NB switch 14 via STP, Fig. 6);

means for configuring first and second connections (first call connection between NB switch 14 and ATM switch 16, and a second signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6) to the termination connection control node (ATM switch 16 on the left side) based on instructions provided by the switching intelligence of said first node (based on the N-ISUP IAM message provided by the NB switch 14, Fig. 6);

means for providing the resource (N-ISUP IAM message) to the termination connection control node (ATM switch 16, Fig. 6) over one of said first and second connections via the broadband network (over the signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6).

Regarding claim 33, Underwood discloses a method for providing a resource (N-ISUP IAM message associated with a call setup, Fig. 6) associated with an incoming call over a broadband network (ATM broadband network, Fig. 6), comprising the steps of:

providing the resource (N-ISUP IAM message, Fig. 6) at a first node (narrowband switch NB 14, Fig. 6) including switching intelligence and narrowband switching fabric;

establishing first and second connections termination associated with incoming call (first call connection between NB switch 14 and ATM switch 16, and a second signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6) towards a plurality second nodes (ATM switches 16, Fig. 6) over the broadband network (ATM broadband network, Fig. 6), said first and second connections being configured by a third node (Translation server VP manager, paragraphs 0047, 0049 and element 20, Fig. 6) based on instructions provided by said first node (based on the N-ISUP IAM message provided by the NB switch 14, Fig. 6); and

receiving the resource at said termination second node (ATM switch 16 on the left hand side, Fig. 6) over one of said first and second connections broadband network (over the signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6).

Regarding claim 34, Underwood discloses the method Claim 33, further comprising the step of:

converting the resource from a circuit-switching node a packet-switching format used by said first node to a packet-switching format used by the broadband network at an additional one said plurality of second nodes (ATM switch 16 on the left hand side converts ISUP-IAM from the narrowband NB 14 switch into B-SETUP used by the broadband ATM switch in the ATM network, Fig. 6).

Regarding claim 35, Underwood discloses the method Claim 34, wherein said step establishing further comprises the steps of:

establishing a call connection over the broadband network associated with the incoming call (first call connection between NB switch 14 and ATM switch 16); and

establishing temporary connection over the broadband network associated with the incoming call (a second signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6).

Regarding claim 36, Underwood discloses the method of Claim 35, wherein said step of receiving further comprises the step receiving the resource at said node (receiving the ISUP-IAM from the narrowband NB 14 switch) over said temporary connection (over the signaling connection between NB switch 14 and ATM switch 16 via the STP 30a, Fig. 6).

Allowable Subject Matter

3. Claims 19-22, 27-32 are allowed.
4. Claims 5-8, 10-14, 15-18, 24-26, 37-41, 42-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 5, the system of Claim 1 wherein the resource comprises a frequency shift keying message.

In claim 10, the system of Claim 9, wherein said interworking entity is adapted to break said call connection after said temporary connection is established to provide the resource.

In claim 15, the system Claim 1, wherein said first connection is a first call connection over the broadband network associated with an existing call and said second connection is a second call connection over the broadband network associated with the incoming call and the existing call, resource being sent over said second call connection.

In claim 19, a connection control node including broadband switching fabric for receiving resource associated with an incoming call a broadband network, said connection control node being operatively connectable control node including switching intelligence and narrowband switching fabric an intermediate node for interworking between said control node said connection control nodes said connection control node comprising:

means for switching from said first connection to said temporary connection to break said first connection to receive the resource and for switching from said temporary connection to said first connection broadband network to break said temporary connection.

In claim 24, the intermediate node of Claim 23, wherein the resource comprises a frequency shift keying message.

In claim 25, the intermediate node Claim 23, wherein the first connection network associated call connection over the broadband call and temporary connection over the further comprising:

means for breaking the call connection after the temporary connection is established to provide the resource over the temporary connection.

In claim 27, a call control node including switching intelligence and narrowband switching fabric for providing resource associated with an incoming call over broadband network a connection control node having broadband switching fabric an intermediate node for interworking between said call control node and said connection control node, said call control node comprising:

a call conference device operable to connect a first call connection to the connection control node associated with an existing call over the broadband network, a second call connection to the connection control node associated with the incoming call over the broadband network and a temporary connection for providing the resource to the connection control node over the broadband network.

In claim 29, the call control node of Claim 28, wherein resource comprises a frequency shift keying message.

In claim 37, the method of claim 36, further comprising the step of:

breaking said call connection after said temporary connection is established to provide resource.

In claim 42, the method of Claim 33, wherein said first connection is a first call connection over the broadband connection associated with an existing call and said second connection is a second call connection over the broadband network associated with the incoming call and the existing call, and wherein said step of receiving further comprises the step of: receiving the resource at said termination second node over said second connection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Publication 2005/0254496 to Christie et al.

US Publication 2005/0174999 to Wiley et al.

US Patent 6,195,347 to Sehgal

US Patent 5,793,413 to Hylton et al.

US Patent 5,793,762 to Penners et al.

US Patent 6,058,104 to Snelling et al.

US Publication 2004/0233909 to Allen Jr., et al.

US Patent 6,256,321 to Kobayashi

US Publication 2004/0264444 to Kaplan et al.

US Publication 2005/0074021 to Bossemeyer Jr. et al.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 571-272-3141. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WELLINGTON CHIN
SENIOR PATENT EXAMINER